

# JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:  
SEN. DON HARMON

CO-CHAIR:  
REP. KEITH WHEELER

EXECUTIVE DIRECTOR:  
VICKI THOMAS



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SEN. KIMBERLY LIGHTFORD  
SEN. TONY MUÑOZ  
SEN. SUE REZIN  
SEN. PAUL SCHIMPF  
SEN. CHUCK WEAVER  
REP. TOM DEMMER  
REP. MIKE HALPIN  
REP. FRANCES HURLEY  
REP. STEVEN REICK  
REP. ANDRÉ THAPEDI

## MINUTES

December 17, 2019

### MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on Tuesday, December 17, 2019 at 11:00 a.m. in Room C600 of the Michael A. Bilandic Building, Chicago IL. Co-Chair Wheeler called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee meetings. Other persons are encouraged to submit their comments to the JCAR office in writing.

### ATTENDANCE ROLL CALL

X Senator Don Harmon	X Representative Tom Demmer
Senator Kimberly Lightford	X Representative Mike Halpin
X Senator Tony Muñoz	X Representative Frances Hurley
X Senator Sue Rezin	Representative Steven Reick
Senator Paul Schimpf	X Representative André Thapedi
Senator Chuck Weaver	X Representative Keith Wheeler

### APPROVAL OF THE MINUTES OF THE NOVEMBER 12, 2019 MEETING

Rep. Demmer moved, seconded by Sen. Muñoz, that the minutes of the November 12, 2019 meeting be approved. The motion passed unanimously (8-0-0).

### REVIEW OF AGENCY RULEMAKINGS

*Department of Insurance – Mistake in Benefit Under Article 3 and Article 4 Pensions (50 Ill. Adm. Code 4450; 43 Ill. Reg. 6242)*

Rep. Hurley moved, seconded by Rep. Halpin, that JCAR recommend that the Department of Insurance be more diligent in adhering to statutory mandates in a timely manner. PA 98-1117, effective 8/26/14, requires DOI's Public Pension Division to set the interest rate to be paid on the amount underpaid by downstate police and firefighter pension systems due to miscalculation. It has taken DOI five years to comply with statute. The motion passed unanimously (8-0-0).

### AGENCY RESPONSE

*Illinois Gaming Board – Video Gaming (General) (11 Ill. Adm. Code 1800; 43 Ill. Reg. 9261)*

Caleb Melamed, Legislative Liaison, represented IGB. Rep. Thapedi asked whether, if the Suspension on portions of this rulemaking were lifted, the rule changes would be implemented

expeditiously. Mr. Melamed responded affirmatively and explained that the delay of portions of this emergency rule has prevented IGB from implementing key provisions of the PA.

Thapedi moved, seconded by Sen. Rezin, that JCAR withdraw the partial Suspension on this emergency rule contingent upon, and effective with, IGB's adoption of the permanent rulemaking.

### **SUSPENSION WITHDRAWAL ROLL CALL**

Y Senator Don Harmon	Y Representative Tom Demmer
A Senator Kimberly Lightford	Y Representative Mike Halpin
Y Senator Tony Muñoz	Y Representative Frances Hurley
Y Senator Sue Rezin	A Representative Steven Reick
A Senator Paul Schimpf	Y Representative André Thapedi
A Senator Chuck Weaver	Y Representative Keith Wheeler

The motion passed 8-0.

### **REVIEW OF OTHER RULEMAKINGS**

***Department of Public Health – Illinois Plumbing Code (77 Ill. Adm. Code 890; 42 Ill. Reg. 24640)***

Co-Chair Wheeler announced that this rulemaking was being removed from the No Objection List.

***Department of Financial and Professional Regulation – Physician Assistant Practice Act of 1987 (68 Ill. Adm. Code 1350; 43 Ill. Reg. 7335)***

Rep. Halpin moved, seconded, by Sen. Muñoz, that JCAR, with the concurrence of DFPR, extend the Second Notice period for this rulemaking for an additional 45 days. Priscilla Chapman, DFPR Assistant Counsel, affirmed that DFPR concurred. The motion passed unanimously (8-0).

***Department of Healthcare and Family Services – Medical Assistance Programs (89 Ill. Adm. Code 120; 43 Ill. Reg. 7599)***

Sen. Muñoz moved, seconded by Sen. Rezin, that JCAR, with the concurrence of HFS, extend the Second Notice period for this rulemaking for an additional 45 days. Ben Winick, HFS Chief of Staff, affirmed that HFS concurred. The motion passed unanimously (8-0).

***Department of Natural Resources – Illinois Natural Areas Stewardship Grant Program (17 Ill. Adm. Code 3051; 43 Ill. Reg. 8657)***

Rep. Demmer moved, seconded by Co-Chair Harmon, that JCAR, with the concurrence of DNR, extend the Second Notice period for this rulemaking for an additional 45 days. Co-Chair Wheeler noted that, although no DNR representative was present, the Department had indicated it concurred. The motion passed unanimously (8-0).

***Department of Public Health – Long-Term Care Assistants and Aides Training Programs Code  
(77 Ill. Adm. Code 395; 43 Ill. Reg. 10275)***

Rep. Halpin moved, seconded by Rep. Thapedi, that JCAR, with the concurrence of DPH, extend the Second Notice period for this rulemaking for an additional 45 days. Erin Conley, DPH Rules Coordinator, affirmed that the agency concurred. The motion passed unanimously (8-0).

**CERTIFICATION OF NO OBJECTION**

Sen. Rezin moved, seconded by Rep. Thapedi, that the Committee inform the agencies to whose rulemakings the Committee has not voted an Objection or Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemaking made by the agency, no Objections will be issued. The motion passed unanimously (8-0-0).

**ANNOUNCEMENT OF JANUARY MEETING DATE**

Co-Chair Harmon announced that the next JCAR meeting is scheduled for Tuesday, January 14, 2020, in Room C600 of the Michael A Bilandic Building, Chicago IL, at 11:00 a.m.

**ADJOURNMENT**

Co-Chair Harmon moved, seconded by Rep. Demmer, that the meeting stand adjourned. The motion passed unanimously (8-0-0).

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